

Interview Summary	Application No.	Applicant(s)	
	09/375,248	FERRELL ET AL.	
	Examiner	Art Unit	
	BJ Forman	1634	

All participants (applicant, applicant's representative, PTO personnel):

(1) BJ Forman. (3) _____.

(2) David Gass. (4) _____.

Date of Interview: 13 May 2003.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 1-4 and 37.

Identification of prior art discussed: Witt et al, Fournier et al and Lawrence et al.


Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)


THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The examiner contacted Mr. Gass to discuss 112 issues and possible allowable subject matter. The examiner stated that the pending claims are broadly drawn to encompass numerous mutations not described in the specification. The examiner further stated that while the specification is enabling for detecting the mutations listed on page 11, the specification is not enabling for the broadly claimed genus of mutations. The examiner also stated that the specification does not provide a written description of the claimed invention. The examiner stated that because the pending claims are broadly drawn, because the specification is not enabling and does not adequately describe the broadly claimed invention the claims will be rejected under 35 U.S.C. 112, first paragraph. The examiner further stated that the IDS contained prior art which will be cited in a new office action. The examiner suggested claim language to Mr. Gass which would overcome the rejections under 35 U.S.C. 112 and would overcome the prior art. However, Mr. Gass stated that Applicant's would prefer a new office action detailing the rejections. The examiner stated that an office action would be composed and mailed shortly. .


B. J. FORMAN
PATENT EXAMINER